

Message Text

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FOR HIRSCH

FOL REPEAT TEL AVIV 3438 ACTION SECSTATE INFO AMMAN
CAIRO DAMASCUS JERUSALEM DTD 16 MAY.

QUOTE

UNCLAS TEL AVIV 3438

E.O. 11652: N/A
TAGS: PGOV, IS
SUBJECT: LAW AND CUSTOM ON THE SEQUENCE OF GOVERNMENT FORMATION

1. DRAWING ON OUR READING OF THE BASIC LAW ON GOVERNMENT
FORMATION AND ON CONVERSATIONS WITH POLITICAL SOURCES,
PARTICULARLY NETANEL LORCH, SECRETARY-GENERAL OF THE
KNESSET STAFF AND ITS TOP-RANKING CIVIL SERVANT, WE
HAVE PREPARED THE FOLLOWING REPORT OF THE LEGAL STEPS
AND PRACTICES IN GOVERNMENT FORMATION:

2. ELECTION RESULTS MAY BE OFFICIALLY PUBLISHED AT ANY
TIME FOLLOWING COMPLETION OF THE COUNT, AND MUST BE
PUBLISHED NO LATER THAN TWO WEEKS AFTER THE ELECTION.

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3. UPON OFFICIAL PUBLICATION OF THE RESULTS (THUS,
NO LATER THAN MAY 31), THE PRESIDENT BEGINS HIS
FORMAL CONSULTATIONS WITH PARTY LEADERS. INTENSIVE
INFORMAL CONSULTATIONS AND DISCUSSIONS WILL, OF COURSE,
HAVE TAKEN PLACE DURING THIS TWO WEEK PERIOD AMONG
ALL PARTY AND FACTIONS LEADERS.

4. THE NEW KNESSET CONVENES ON THE SECOND MONDAY FOLLOWING PUBLICATION OF THE ELECTION RESULTS (AT THE LATEST JUNE 13 FOR THE NINTH KNESSET). IT ELECTS ITS SPEAKER BY SECRET BALLOT AS THE FIRST ORDER OF BUSINESS.

5. IT IS CUSTOMARY FOR THE PRESIDENT TO WAIT UNTIL AFTER THE ELECTION OF THE KNESSET SPEAKER TO ASSIGN AN MK TO FORM A GOVERNMENT. UNDER TH BASIC LAW HE MAY CHOOSE ANY MK BUT THE PRACTICE HAS BEEN TO PICK THE LEADER OF THE PARTY WITH THE LARGEST KNESSET REPRESENTATION. ONCE GIVEN THE NOD, THE PARTY LEADER HAS 21 DAYS TO FORM A GOVERNMENT; THIS PERIOD MAY BE EXTENDED FOR ADDITIONAL PERIODS TOTALING UP TO 21 ADDITIONAL DAYS. SHOULD HE FAIL, THE PRESIDENT MAY THEN ASK ANOTHER MK, EITHER OF THE SAME PARTY AS THE ONE FIRST CHOSEN, OR OF ANY OTHER PARTY. HOWEVER, IT IS CUSTOMARY FOR THE PRESIDENT TO TURN TO THE LEADER OF THE SECOND LARGEST PARTY AT THIS POINT. THE PRESIDENT'S SECOND CHOICE ALSO HAS 21 DAYS AND UP TO 21 ADDITIONAL DAYS TO FORM A GOVERNMENT. THERE IS NO LIMIT TO THE NUMBER OF TIMES THIS SEQUENCE MAY BE REPEATED. HOWEVER, AT ANY TIME AFTER FIRST ONE MK AND THEN ANOTHER HAVE BEEN GIVE THE ASSIGNMENT AND FAILED, THE PRESIDENT AT HIS DISCRETION MAY INFORM THE KNESSET SPEAKER THAT HE SEES NOW WAY OF ACHIEVING FORMATION OF A GOVERNMENT. THE SPEAKER
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WOULD IN ALL LIKELIHOOD THEREUPON REQUEST A LAW DISSOLVING THE KNESSET AND HOLDING NEW ELECTIONS.

6. IN SUM, THE EARLIEST A NEW GOVERNMENT COULD BE FORMED WOULD BE THE SECOND WEEK IN JUNE. MORE REALISTICALLY, THE PROCESS MAY DRAG OUT MANY WEEKS INTO THE SUMMER.
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